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June 1, 2004

Richard Schassburger
NEPA Compliance Officer
Rocky Flats Project Office
10808 Highway 93, Unit A
Golden, Colorado 80403-8200

Dear Mr. Schassburger:

RE: Draft Environmental Assessment Pond and Land Configuration (Document DOE/EA-1492)
Rocky Flats Environmental Technology Site

The Draft Environmental Assessment Pond and Land Configuration (the Report) dated April 2004 was received by the Colorado Department of Public Health and Environment (the Department) on May 5, 2004. This report has been carefully reviewed. The Department concurs with the basic premise of the proposed actions: diminish or remove the dams forming interior ponds along the established drainages at Rocky Flats. The proposed actions will increase drainage stability to erosion, reduce the amount of wetlands, and retain most of the water storage and treatment capacity of the drainages. However, we do have comments on the draft report, which we have listed below.

GENERAL COMMENTS

- The Department is aware that DOE intends to make improvements to the Pond C-1 dam and outlet on Woman Creek under a NEPA Categorical Exclusion. However, the Department contends that the Woman Creek drainage and ponds should be evaluated in this document, and expects that other community members will provide DOE with the same comment. The draft EA does not address Woman Creek at all. We believe that there is value of holistically looking at both drainages that have been modified by Site operations.
- The report states in several passages that water depletion issues are outside the scope of this document, yet the document does address this issue in a qualitative way. We contend that water depletion issues should in fact be thoroughly addressed in this document.
- An important part of the proposed and alternative actions are missing. While the basic premise of the proposed and alternative actions are well described, the infrastructure and logistical implications of implementing the actions are not addressed. The report states these considerations are outside the scope of this report. The Department disagrees. Such issues are part and parcel of the proposal and must be considered.

DIST.	LTR	ENC
BERARDINI, J.H.	X	
BOGNAR, E.S.	X	
BROOKS, L.	X	
BUTLER, L.	X	
CARPENTER, M.	X	
CROCKETT, G. A.		
DECK, C. A.	X	
DEGENHART, K. R.		
DIETER, T. J.		
FERRERA, D. W.	X	
GIACOMINI, J. J.		
LINDSAY, D. C.	X	
LONG, J. W.		
LYLE, J. L.		
MARTINEZ, L. A.	X	
NAGEL, R. E.	X	
NESTA, S.		
NORTH, K.	X	
RODGERS, A. D.		
SHELTON, D. C.	X	
SPEARS, M. S.	X	
PIZZUTO, V.M.		
TOBIN, M.	X	
TUOR, N. R.	X	
WIEMELT, K.		
WILLIAMS, J. L.		
ZAHM, C.	X	
<i>Wininger</i>	X	

COR. CONTROL	X
ADMIN. RECORD	X
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Reviewed for Addressee
Corres. Control RFP

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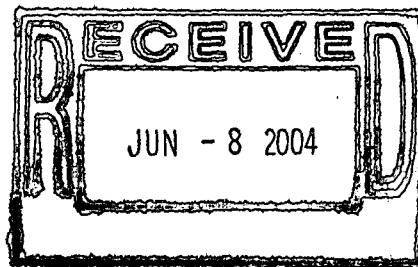
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By

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ADMIN RECORD

BZ-A-000715

4. The use of modeling to predict future hydraulic conditions in creeks and drainages is appropriate. However, modeling results in estimations and involves a level of uncertainty. The Department desires that the interim and final configurations of the RFETS drainages are robust enough to endure conditions that may be the extremes of modeled future conditions.
5. The impact to wildlife caused by the different remedial actions, as presented in the Report, appears to be based on supposition rather than on evidence of animal behavior.

SPECIFIC COMMENTS

- §1.1.2 Page 3 paragraph 1: The argument that is presented for keeping some of the ponds is that they act to reduce the actinide concentration in waters passing through them. This means they are a treatment system, and part of the remedy. The Department insists that the ponds not be used for treatment. Rather, the Department contends that the ponds serve as an "insurance policy" for the community for a period of time after closure until the remedy above the ponds has been determined to be effective.
- §1.3 The Department does not agree with the statement that water depletion issues are outside the scope of this document. Such an issue is in the scope of this document as it affects, and is a consideration in judging, the proposed remedial actions.
- § 2.0 This section is incomplete. The Range of alternatives for the C-series ponds is missing.
- §2.3.1, Page 14: Modify Interior Ponds: We concur with the installation of an adjustable stop-log structure.
- The proposal for armoring parts of the drainage above and below the dam is an engineering solution for a potential erosion problem. The Department has no objection.
- Page 15: The discussion of the staging area brings up the issue of short-term impacts because of construction. Just saying you will do a good job does not make it so. Where will material be staged for construction, maintenance, monitoring, security, etc?
- §2.1.4 The Department has no opposition to temporarily maintaining the bypass structures.
- The Department strongly disagrees that the impacts relating to maintenance and logistics are beyond the scope of this document. They are part and parcel of implementing a particular option. They will need to be addressed.
- § 2.2 Alternative Action: The alternative action described has several attractive aspects. Interior pond dams would be removed thus restoring sections of the drainage to a more stable long-term configuration. Maintenance would also be reduced, as would impacts due to maintenance and monitoring. However, wetlands areas will be significantly reduced. Sediment loading to the terminal ponds will be increased, as will maintenance to these ponds.
- §2.3 No action alternative: The Department understands that any NEPA alternatives analysis requires evaluation of the no-action alternative. However, we do not consider the no-action alternative to be an acceptable option.
- §3.1.4.2 The Department prefers abandoned culverts and storm drains be filled with inert material prior to abandonment. The ends can then be plugged.

§3.1.4.3 Erosion protection in drainages established in the former IA is preferred. The potential for erosion in areas of possible higher actinide concentrations should be reduced for as long a period of time as practicable.

Figure 3-1. IA Grading and Drainage Plan: CDPIIF has not yet concurred with the final land configuration for the Industrial Area (IA). The figure presented is adequate for general discussion, but some important configurations may be modified in the final version.

§4.0 The location of quarrying and storage and conveyance of municipal water supplies needs to be described more clearly. This area is between the plant site and Highway 93, not west of Highway 93.

§4.2.1.2 Clarify what is being discussed in this section: POE or POC. The requirements differ between these points.

§5.1. The Department expects major contaminated-sediment removal from some of the interior ponds. The Report poses the proposition that any construction on the interior ponds will be minor and the subsequent impact will also be minor. A more realistic evaluation of the activities at the ponds needs to be presented.

§5.1.1.2 *Wildlife*: Upon what evidence does DOE base the projected return of wildlife after project completion?

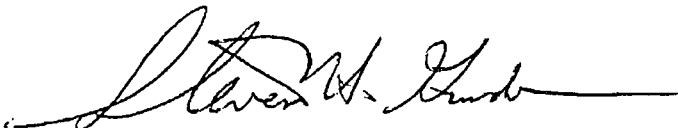
§5.1.2.1 *Water Resources*: The Department concurs, and expects, that an engineering analysis will be performed to assess the impacts of routing flows through modified drainages. Evaluation of changes to the surface water regime will not end with this report, but will continue through and beyond Site closure.

§5.1.2.2 *Air Resources*: The problem of fugitive dust emissions is addressed in this section of the report. Missing is any discussion of the potential impact of suspended actinides in the dust. While risk issues associated with PM₁₀ are dealt with, the additional risk associated with actinides is not addressed and should be addressed.

§ 5.3 As stated above, the Department considers the no-action alternative to not be viable.

If you have any questions regarding this letter, please contact me at (303) 692-3367 or Edgar Ethington at (303) 692-3438.

Sincerely,



Steven H. Gunderson
RFCA Project Coordinator

cc: Joe Legare, DOE
Mark Sattelberg, USFWS

Dave Shelton, KH
Administrative Records Building T130G

Mark Aguilar, EPA

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